IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 2833 of 2000

Between:

Shaik Ahmed S/o, Gudusab,
Tandur Village, Ranga Reddy District.

..... PETITIONER

AND

1 District Collector,
Ranga Reddy District.
2 Commissioner, Municipal Council,
Tandur Village, Ranga Reddy District.
3 Mandal Revenue Officer,
Tandur Village, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the letter No.F/461/2000 dt. 19.2.2000 issued by Mandal Revenue Officer, i.e., III respondents to II respondent is bad illegal, arbitrary and without jurisdiction, and uncalled for and pass such further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

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For declaring letter No.F/461/2000, dated 19-02-2000, issued by the 3rd respondent-

Mandal Revenue Officer, Tandur, to the 2nd respondent-Commissioner, Muncipal Council, Tandur, as illegal and arbitrary, this writ petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

3. It is contended by the learned counsel for the petitioner that the petitioner is a butcher and all the butchers from Muslim Community are notified as backward community in the State. The 3rd respondent herein, after making due enquiry, issued a caste certificate in favour of the petitioner certifying that he belongs to BC (D) vide letter No.F/461/2000, dated 09-02-2000. The last date for filing nomination for the election of Municipal Councillor, Tandur, was 21-02-2000. When the petitioner approached the second respondent herein to verify the voters list as to whether his name was included in the electoral rolls, the 2nd respondent handed over the copy of the original letter addressed to him by the 3rd respondent asking the 2nd respondent to reject the nomination, if any, filed by the petitioner on the ground that the Caste Certificate issued by him earlier to the petitioner was due to oversight. Therefore, this writ petition is filed seeking to suspend the operation of the letter issued by the 3rd respondent to the 2nd respondent vide letter No.F/461/2000, on 19-02-2000.

4. The learned Government Pleader appearing for the respondents submits that the election of the Tandur Municipality was already over, the purpose for which this writ petition is filed becomes infructuous.

5. Having regard to the facts and circumstances of the case and also having regard to the fact that the election of the Tandur Municipality is already over, the request made by the petitioner cannot be entertained.

6. Accordingly, the writ petition is dismissed. No order as to costs.

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17-06-2005

Prv

To

1 The District Collector,
Ranga Reddy District.
2 The Commissioner, Municipal Council,
Tandur Village, Ranga Reddy District.
3 The Mandal Revenue Officer,
Tandur Village, Ranga Reddy District.

4 Two CCs to G.P. for Revenue, High Court of Andhra Pradesh,

Hyderabad (OUT).

5 Two CD copies.